

SAO 440 (Rev. 8/01) Summons in a Civil Action

UNITED STATES DISTRICT COURT

Southern

District of

New York

PixFusion LLC

SUMMONS IN A CIVIL ACTION

V.

MushyGushy.com, LLC

08 CV 4223

JUDGE HOLWELL

TO: (Name and address of Defendant)

MushyGushy.com, LLC.
26 Eastmans Road
Parsippany, NJ 07054

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

Marc A. Lieberstein, Esq.
John L. Dauer, Jr., Esq.
T. David Bomzer, Esq.
Day Pitney LLP
7 Times Square
New York, NY 10036
(212) 297-5800

an answer to the complaint which is served on you with this summons, within 20 days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

J. MICHAEL McMAHON

MAY 02 2008

CLERK

DATE

(By) DEPUTY CLERK

AO 440 (Rev. 8/01) Summons in a Civil Action

RETURN OF SERVICE		
Service of the Summons and complaint was made by me ⁽¹⁾	DATE	
NAME OF SERVER (<i>PRINT</i>)	TITLE	
<i>Check one box below to indicate appropriate method of service</i>		
<div style="margin-bottom: 10px;"> <input type="checkbox"/> Served personally upon the defendant. Place where served: </div> <div style="margin-bottom: 10px;"> <input type="checkbox"/> Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left: </div> <div style="margin-bottom: 10px;"> <input type="checkbox"/> Returned unexecuted: </div> <div> <input type="checkbox"/> Other (specify): </div>		
STATEMENT OF SERVICE FEES		
TRAVEL	SERVICES	TOTAL \$0.00
DECLARATION OF SERVER		
<p>I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.</p> <div style="display: flex; justify-content: space-between;"> <div style="width: 30%;"> Executed on _____ Date </div> <div style="width: 60%;"> _____ <i>Signature of Server</i> </div> </div> <div style="text-align: center; margin-top: 20px;"> _____ <i>Address of Server</i> </div>		

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
PixFusion LLC,
Plaintiff(s),

Index No. 08 CV 4223

-against-

AFFIDAVIT OF SERVICE

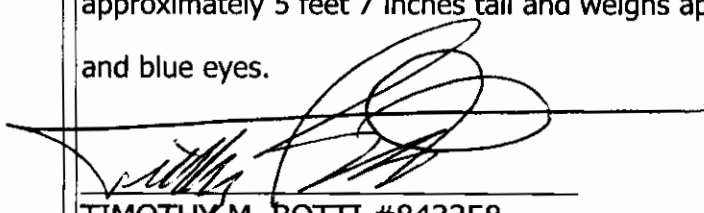
MushyGushy.com, LLC,
Defendant(s).
-----X

STATE OF NEW YORK)
S.S.:
COUNTY OF NEW YORK)

TIMOTHY M. BOTTI, being duly sworn, deposes and says that he is over the age of eighteen years, is employed by the attorney service, DLS, INC., and is not a party to this action.

That on the 6th day of May 2008, at approximately 4:05 p.m., deponent served a true copy of the **SUMMONS IN A CIVIL ACTION, COMPLAINT AND JURY DEMAND, CIVIL COVER SHEET, RULE 7. 1 STATEMENT, INDIVIDUAL PRACTICES OF JUDGE RICHARD J. HOLWELL, 3RD AMENDED INSTRUCTIONS FOR FILING AN ELECTRONIC CASE OR APPEAL AND INDIVIDUAL PRACTICES OF MAGISTRATE JUDGE HENRY PITMAN** upon Mushygushy.Com, LLC at 26 Eastmans Road, Parsippany, NJ 07054, by personally delivering and leaving the same with Valerie Doyle, who informed deponent that she is authorized to receive service at that address.

Valerie Doyle is a white female, approximately 49 years of age, stands approximately 5 feet 7 inches tall and weighs approximately 130 pounds with frosted dark hair and blue eyes.


TIMOTHY M. BOTTI #843358

Sworn to before me this
8th day of May 2008


NOTARY PUBLIC

JONATHAN T. RIPPS
Notary Public, State of New York
NO. 0186109718
Qualified in Rockland County
C. State Filed in New York County
Commission Expires May 17, 2010 